

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JARED M. DIEHL,

Defendant.

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Case No. 4:22CR00055 RLW

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, Defendant Jared Diehl has pled guilty to Count I of the Indictment charging the offense of Possession and Accessing with Intent to View Child Pornography, in violation of Title 18, United States Code, Sections 2252A(a)(5);

WHEREAS, the Indictment also alleged the forfeiture of any visual depiction as described in Sections 2251, 2251A, 2252, 2252A or 2260 of Title 18, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Chapter 110 of Title 18; any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense alleged in Count I; and any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property;

WHEREAS, in the written Guilty Plea Agreement, Defendant agreed to the forfeiture of certain specific assets as more particularly described below (the “Subject Property”);

WHEREAS, pursuant to Rule 32.2(b)(1) of the Federal Rules of Criminal Procedure, this Court determines, based upon the evidence and information before it, including Defendant's Guilty Plea Agreement, that the above-described property is subject to forfeiture, and that the United States has established the requisite nexus between the Subject Property and Defendant's offense;

ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. That the following property is hereby forfeited to the United States pursuant to Title 18, United States Code, Section 2253: any visual depiction as described in Sections 2251, 2251A, 2252, 2252A or 2260 of Title 18, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Chapter 110 of Title 18; any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense of Possession and Accessing with Intent to View Child Pornography; and any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property.

2. That the following Subject Property is declared forfeited:

a. Toshiba Laptop, S/N: X027898K, with hard drive.

3. That the aforementioned forfeited property is to be held by the United States, as indicated, in its secure custody and control.

4. That pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States is hereby authorized to conduct any discovery permitted by the Federal Rules of Civil Procedure in order to identify, locate, or dispose of any property subject to forfeiture under this order, including depositions, interrogatories, subpoenas, and requests for production.

5. That pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure this Order shall become final as to Defendant at the time of sentencing, and shall be made part of the sentence and included in the judgment.

6. That the United States shall publish notice of this Order and send notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture as set forth in Federal Rule of Criminal Procedure 32.2(b)(6) and Title 21, United States Code, Section 853(n).

7. That upon adjudication of all third-party interests, this Court shall enter a Final Order of Forfeiture pursuant to Title 21, United States Code, Section 853(n), in which all of the property to which the United States is entitled will be ordered forfeited, to be disposed of according to law.

The Clerk is hereby directed to send copies of this order to all counsel of record and the United States Marshal.

So ordered this _____ day of _____, 2022.

HONORABLE RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE